

FILED

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

11:46 am Feb 03 2022
Clerk U.S. District Court
Northern District of Ohio
Cleveland

James E. Dean

Plaintiff, Pro Se

v.

Case Number 1:22cv194

Judge District Judge Polster
Magistrate Judge Ruiz***Trial by Jury Requested***

Meta Platforms Inc. / Facebook

Defendant

28:1331 Tort Action 360 P.I.

Complaint

Here comes the Plaintiff, James E Dean seeking \$990,000 in damages against Defendant, Meta Platforms Inc. (NASDAQ : FB) / FACEBOOK. At issue is a false Facebook post causing significant damages. Note attached materials and Facebook URL social media below, posted *July 29, 2020 at 9:27PM* on Facebook user, Andy Cordan. The Facebook false post should be removed, as it continues to coerce threats, Libel and other damages, including the Endangerment of a five (5) year old girl.

FACEBOOK URL POST FALSE STORY AND UNCHECKED VIOLENT THREATS BY FACEBOOK USERS

https://m.facebook.com/story.php?story_fbid=4381327775241032&id=199637660076752

The false Facebook post and any associated post (s) should be removed immediately. Plaintiff seeks damages including Negligence, Libel, Civil Rights violations, Endangerment of a five (5) year old girl, Loss of Profit Income, and mental anguish trauma to the entire family including grand.

Defendant ...

Attn. Ms. Jennifer G. Newstead, Chief Legal Officer

Meta Platforms, Inc. / Facebook

1601 Willow Road Menlo Park, CA 94025 United States TEL 650 543 4800

The Facebook story has been proven false by significant evidence, witnesses and documentation. While the false post of July 29, 2020 which still remains posted causing damages, cites a **dismissed "Theft" grand jury indictment, false arrest, and the post cites numerous false claims with alarming unchecked threats by Facebook users in the comment section which led to significant damages.**

02/03/2022 A.P.R. # 40200 Receipt # 14660136671

And, the Plaintiff, James E Dean, has no Facebook (FB) account, no access to Facebook pages, does not use Facebook, and did not authorize personal or business information "*Deans Liquidation*" to be posted on Facebook. Plaintiff has no other means to file complaints given he maintains no FB account.

Documented evidence shows since July 29, 2020 the false post (s) FACEBOOK is responsible for damages among many issues ...

1. Unchecked violent threats in comments section by Facebook users for many months, over 1 ½ years and continues
2. Coerced several alarming deranged people in the middle Tennessee to drive to Plaintiff, James Dean's, private home (s) while playing with his five (5) year old daughter in the yard ... as the violent people parked on or near his Gallatin and Portland TN driveway (s), yelling threats, many citing the posted Facebook false story.
3. Acts of vandalism and intimidation occurred on the Plaintiff's property (s) including Gallatin TN and Portland TN, as a result.
4. The Facebook post forced the closure of a business and significant damages to Plaintiff's livelihood, employment income abilities ... significant Loss of Profit / Income

Plaintiff James Dean and his family receive continued threatening phone calls and harassment, and the Facebook false post broadcast nationally resulted in severe damages to Plaintiff, James Dean and his family, including employment livelihood, causing significant financial damages \$990,000 and forced closure of business (s), while damaging wife's career as registered nurse, and caused serious mental anguish trauma for the immediate family, grandparents, and extended family member since July 29, 2020.

The Facebook false social media network story is published nationwide and searchable on GOOGLE. Statistics attached shows Facebook reaches nearly 1.9 Billion people daily, and over 70% of Americans use the social media network, thus exposed to the false story. It's the social media equivalent of using "*a high capacity weapon*" to cause serious damages almost instantly to an ordinary citizen like the Plaintiff, unable to defend himself and family. And for this reason Facebook must be held accountable.

Source : <https://www.statista.com/statistics/346167/facebook-global-dau/>

Source : <https://www.statista.com/statistics/183460/share-of-the-us-population-using-facebook/>

The Plaintiff, James Dean never gave his consent to FACEBOOK to allow the publishing of his photo image, name, personal information, and details of his business of ten years (*forced to close August 2020*), *among other issues*.

In our digital age, the propensity for **error** in **"free speech"** that can be created by anyone instantly with a mobile device and broadcast to **millions** in seconds on **social media** networks, if left **unchecked** will by nature result in unreasonable outcomes, given the **speed and reach of damages**, **"like a loaded high capacity weapon"**, inevitably poses the serious likelihood of endangering subjects or parties of the broadcast and others such as family members and the greater public is therefore exposed to the whims of bad actors and profiteers such as Meta Platforms Inc. / Facebook and WKRN NEWS 2 (*NexStar Media Inc.*).

The First Amendment does **not** protect a party from **liability for false, distorted or misleading media that damages ordinary citizens** through Libel, Slander or Negligence, particularly if for example, the content basis is **proven as such causing damages**, and/or underlying basis of the story has already been proven false by a preponderance of evidence, witnesses and documentation. The Right to Freedom of Speech does **not** apply here. Meta Platforms Inc. / Facebook is Negligent, Libel and violated Civil Rights, among other issues.

The Facebook URL posted false story includes the following damages ...

1. Facebook broadcasts Plaintiff's full name, photo, business and personal details while endangering Plaintiff's family ... *Post had at least 88 shares, comments and was viewed by many people in America.*
2. Facebook broadcasts Plaintiff's family home address location (s) Gallatin and Portland Tennessee
3. Facebook post attached contains clear **unchecked** threats in the comments sections that are alarming and false, causing damage (s) ... clear Negligence by Facebook for not properly protecting Plaintiff and family.
4. Facebook post details Plaintiff's livelihood business which was forced to close as a result in August 2020. And the Facebook URL post highlights Plaintiff's financial resources citing "... a company that liquidates estates ...", thus exposing and endangering the Plaintiff, James Dean's entire family by inviting serious "bad actors" nationwide to exploit the Plaintiff and family, knowing from the Facebook post of "a cash liquidation business, run by James Dean".
5. Facebook false post **usurps, damages** Plaintiff, James Dean's **Civil Right (s)** to any Fair Trial with clearly biased comments and prejudiced post comments on FACEBOOK since July 2020 that falsely state the Plaintiff is a "bad person, thief etc." *without any way for an ordinary person, such as the*

Plaintiff James Dean to defend himself and protect his family. The false Facebook URL post has been broadcast to millions of people throughout the United States since July 2020.

Several violations have occurred by the Defendant, Meta Platforms Inc / Facebook including ...

a. The US Constitution Sixth Amendment guarantees the rights of alleged criminal defendants, the right to a public trial without unnecessary delay, the right to a lawyer, the right to an impartial jury, and the right to know who your accusers are and the nature of the charges and evidence against you.

b. Libel is a method of defamation expressed by print, writing, pictures, signs, effigies, or any communication embodied in physical form that is injurious to a person's reputation, exposes a person to public hatred, alarming statements, contempt or ridicule, or injures a person in his/her business or profession.

c. Negligent conduct. Generally, negligence is the failure to exercise that degree of care, skill, or diligence a reasonable person would exercise under similar circumstances. Negligent conduct can result from either an act or a failure to act.

d. The Federal Tort Claims Act (FTCA) is federal legislation enacted in 1946 that provides a legal means for compensating individuals who have suffered personal injury, death, or property loss or damage caused by the negligent or wrongful act or omission of an employee of the federal government such as Sumner County Tennessee and private entities such as Meta Platforms Inc. / Facebook.

6. The Facebook post is maliciously false and misleading implying that Plaintiff James Dean "... stole items from a elderly person at a nursing home" ... which is completely false.

In fact, Plaintiff James Dean has never visited, moved and/or liquidated items from any nursing home in tens years of business. And Plaintiff James Dean has no criminal record in Tennessee having lived there for ten years or more, since 2010.

7. The details cited in the Facebook false post are overwhelmingly incorrect and intentionally misleading. Significant evidence, witnesses and documentation prove it to be a false story.

8. Meta Platform Inc. / Facebook and WKRN NEWS 2 (NexStar Media Inc.) have profited financially with advertising and sensationalized Internet traffic since July 29, 2020; in this case with a malicious

article causing serious damages to the Plaintiff and entire family, leaving it traumatized, among other issues.

Note just a few of the unchecked violent alarming threats posted by users of Meta Platforms Inc. / FACEBOOK since July 29, 2020 include :

"Cut Off his hands" (Ronnie Bellwood)

"... Would like to know here his house is ... he also has a house in Portland ..." (Andy Finn)

"Go to his home take his stuff ... " (Rosa Ward)

"Needs prison ... " (Michael Justin)

"How low can a person go, stealing from a nursing home?" Sheila Haston
... unchecked Facebook threats ...

"What a jerk" (Kathy Jones)

"Put him in jail" (Chris Kelly)

"Judas" (Lanny Adams)

"Piece of Shit" (Jim Anderson)

"Thug" (Kin Morgan)

And many other Facebook comments. Post had at least 88 shares and viewed many people in America.

Note attached PDF documentation of Facebook's false social media broadcast story. Therefore, Cease and Desists effective immediately, the removal of Facebook false story is appropriate.

The US COURTS are now implementing penalties for negligent LIBEL written social media posts like FACEBOOK enabling threats, Libel, Civil Rights violations and the like including any alarming content in social media posted by users in Facebook comments section, note a few examples below.

A Facebook post and UNCHECKED Facebook user COMMENTS that defames the character of another person is grounds for a lawsuit. To prove defamation of character, the victim must show that a false statement of and concerning the victim was published, caused the victim injury, and is not protected by any privilege. Clearly in this case Plaintiff Dean has shown all the legal elements necessary.

Review New York Times Article (Sept. 2021) *Here*

<https://www.nytimes.com/2021/09/24/technology/facebook-australia-comments.html>

Review Palin vs New York Times (Jan. 2022)

<https://www.politico.com/news/2022/01/23/sarah-palin-new-york-times-00000541>

Pia Zammit case

<https://timesofmalta.com/articles/view/actor-pia-zammit-wins-libel-appeal-over-it-torca-nazi-photo.930406>

In this case, the false FACEBOOK posting and any associated post (s) should be removed effective immediately. It is a legal matter of equal justice for ordinary people, and in the best interest of the public. The Plaintiff and family ask the COURT to consider damages that occurred since July 29, 2020.

Sincerely,



James E Dean, Plaintiff Pro Se

19885 Detroit Road #309

Rocky River, OH 44116